

To: Richard Curley[rcurley@curleylegal.com]
Bcc: Johnson, Jere[Johnson.Jere@epa.gov]; Seter, David[Seter.David@epa.gov]
From: Helmlinger, Andrew
Sent: Wed 5/8/2013 8:54:21 PM
Subject: FW: Anaconda OU1 costs total to \$\$2,197,508.43
Site GU Operable Unit 01.pdf

Rich,

As we discussed, EPA sorted out a rough cut of the “groundwater” costs, which for us means OU1. These costs total almost \$2.2 Million. That would leave almost \$2.1 Million in other costs that are not OU8 in the cost package we’ve been discussing. As I said, we’re open to hearing ARC out on proposed compromises for OU1 costs, although I understand that you know our general position is “joint and several liability” for commingled contamination. A proposal to consider, to avoid impacts to progress at the site, is to have an AOC for the non-OU1 and OU8 costs, which may not then have a compromise and require DOJ approval, with the luxury then of some time to comprehensively talk through ARC’s concerns about groundwater costs. The OU1 costs cut is attached.

Best,

J. Andrew Helmlinger